

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

LUXOTTICA GROUP S.p.A., OAKLEY,
INC., and COSTA DEL MAR, INC.,

Plaintiffs,

v.

THE PARTNERSHIPS and
UNINCORPORATED ASSOCIATIONS
IDENTIFIED ON SCHEDULE “A”,

Defendants.

Case No. 21-cv-03977

Hon. Steven C. Seeger

Magistrate Judge Beth W. Jantz

PLAINTIFFS’ STATEMENT REGARDING MINUTE ENTRY [22]

Pursuant to this Court’s Minute Entry [22], Plaintiffs Luxottica Group S.p.A., Oakley, Inc., and Costa Del Mar, Inc. (collectively, “Plaintiffs”) file this Statement.

Since January 1, 2020, Plaintiffs have filed 17 cases asserting claims of trademark infringement, that included a Schedule A, in the Northern District of Illinois.¹ *See* Declaration of Justin R. Gaudio (“Gaudio Declaration”) at ¶ 2. In this case, each Domain Name is exclusively selling products bearing counterfeit versions of Plaintiff’s Ray-Ban and/or Oakley Trademarks.

Lawsuits like this case are highly effective at decreasing online counterfeiting. For example, in 2016, Plaintiffs identified and shut down over 30,600 similar websites offering for sale products bearing counterfeit versions of Plaintiffs’ trademarks. Gaudio Declaration at ¶ 3. As a result of Plaintiffs’ diligent efforts in filing lawsuits in recent years, that figure has decreased significantly to less than 2,000 domains in 2021 year to date. *Id.* This consistent year-over-year decrease is illustrated below in ***Figure 1. Id.***

¹ Plaintiff Oakley, Inc. has also filed 34 cases asserting design patent rights. Gaudio Declaration at ¶ 2.

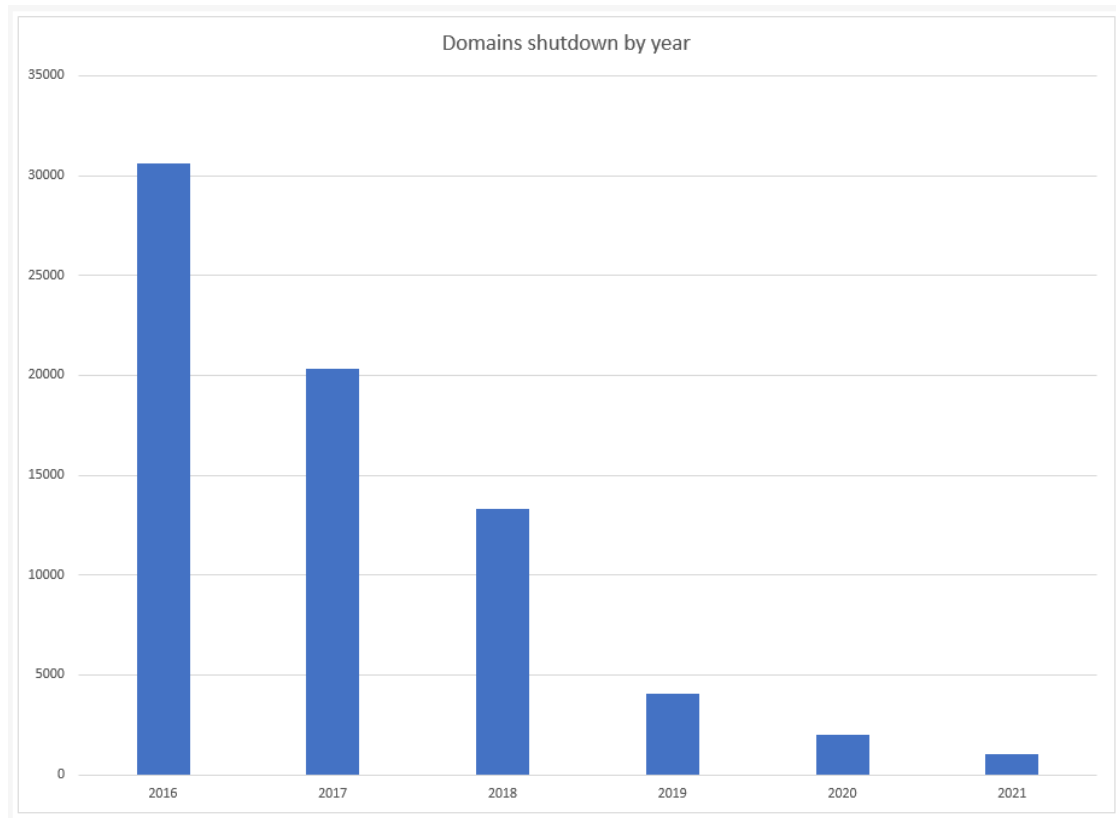


Figure 1

Prompt entry of the domain name transfer order without notice delays defendants in creating and promoting new websites. Even if there are no linked financial accounts to restrain, which is the case with nearly all of the Domain Names in this case, Defendants incur costs registering new domain names, setting up new websites and driving traffic to those new websites through either search engine optimization and/or social media promotion. In sum, Plaintiffs' efforts in filing these cases frustrate Defendants' ability to sell counterfeit products, which in turn has resulted in a significant decrease in online counterfeiting.

Dated this 13th day of August 2021.

Respectfully submitted,

/s/ Justin R. Gaudio

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